

ATTACHMENT E

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 1. BIRBIGLIA, VINCENT 10/31/2013 | | | |
|---|---------------------|--|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 7:20-8:9 | | | |
| 10:2-21 | | | |
| 11:4-12:4 | | | |
| 12:14-13:19 | | | |
| 15:10-15 | | 15:16-16:6 | None |
| 16:7-11 | | 16:12-22 | None |
| 16:23-17:11 | | 17:12-24 | None |
| 22:25-23:16 | | 19:3-20:14 20:15-20:23 | Relevance (20:14-20:15) |
| 24:15-26:19 | | 26:20-27:20 | None |
| 27:21-28:5; 28:7-24; 29:3-31:18 | | 31:19-32:4 | None |
| 32:5-17; 32:19-33:2 | | 33:3-33:22 | Relevance (33:17-33:17) |
| 33:23-34:10 | | 34:11-35:5 35:16-21 | None |
| 36:8-25; 37:4-9 | | 37:10-25 | None |
| 38:20-39:3 | | 39:4-9 | None |
| 40:18-19; 41:3-9 | | | |
| 41:25-42:4; 42:6-8; 42:10-10 | | 42:11-43:2 43:4-43:8 45:5-46:7 49:10-20 | None |
| 52:24-53:8; 53:11-55:7 (Ex. 10) | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 1. BIRBIGLIA, VINCENT 10/31/2013 | | | |
|--|---------------------|-------------------------------|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 64:16-21 | | 64:5-64:15 | None |
| 69:3-12; 69:14-19; 69:21-22; 69:24-70:5; 70:7-9 | | 70:10-70:11 70:13-70:22 | None |
| 70:23-24; 71:2-8 | | 71:9-71:15 | None |
| 78:12-80:20; 80:22-81:3; 81:5-15 81:17-23; 81:25-82:17 | | | |
| 82:21-25; 83:3-5 | | | |
| 83:14-84:7; 84:9-18; 84:20-21 | | 84:22-85:17 85:19-85:21 | None |
| 94:20-95:15 | | | |
| 97:4-25 | | | |
| 101:8-23; 101:25-102:19 | | 98:2-101:7 102:20-25 | Relevance (98:4-98:5; 100:3-100:7) |
| 103:17-21 | | 103:22-105:25 | None |
| 106:20-23; 106:25-25 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
Defendants' Deposition Designations

| 1. BIRBIGLIA, VINCENT 10/31/2013 | | | |
|---|---------------------|---|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 107:24-108:2; 108:4-20; 108:22-109:19 | | 109:25-110:2 110:4-110:11 110:22-110:25 111:3-112:17 112:19-113:9 113:10-113:23 113:25-114:9 114:11-114:18 | Scope. Relevance (113:10-113:10) |
| 116:10-13; 116:16-16 | | 116:17-116:20 116:23-117:7 122:8-123:3 123:5-124:5 124:8-124:20 124:22-124:25 127:17-127:23 127:25-128:8 128:10-129:4 129:6-129:17 129:19-130:11 130:14-130:22 | Scope. If overruled, counter-counter for completeness: 125:2-125:7. Relevance (129:22-129:24) |
| 130:23-131:3; 131:5-12; 131:14-14 | | | |
| 133:10-18; 133:20-134:15 | | | |
| 164:8-19; 164:24-24 (Ex. 11) | | | |
| 165:16-166:3 | | | |
| 168:9-20; 168:22-25 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
Defendants' Deposition Designations

| 1. BIRBIGLIA, VINCENT 10/31/2013 | | | |
|--|--|-------------------------------|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 194:9-15; 194:17-21; 194:23-195:2 | (1) Subject to any motion in limine regarding the baseball antitrust exemption; (2) calls for legal conclusion; (3) relevance; (4) ambiguous | | |
| 195:9-13; 195:15-15; 195:17-196:3; 196:6-11; 196:13-14 | (1) Subject to any motion in limine regarding the baseball antitrust exemption; (2) calls for legal conclusion; (3) relevance; (4) ambiguous | | |
| 196:24-197:5 | (1) Subject to any motion in limine regarding the baseball antitrust exemption; (2) calls for legal conclusion; (3) relevance | | |
| 201:11-202:3; 202:5-18; 202:20-203:22 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
Defendants' Deposition Designations

| 2. LERNER, MARC 10/28/2013; 10/29/2013 | | | |
|---|--|-------------------------------|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 6:15-17 | | | |
| 9:12-16 | | | |
| 9:21-10:2 | | | |
| 14:16-19 | | | |
| 16:15-18:14 | | 18:15-19:2 | No objections Counter-counter for completeness: 19:3-19:3. |
| 19:4-17 | | | |
| 19:23-20:9 | | | |
| 20:24-21:3 | | | |
| 21:22-25 | | | |
| 24:8-17 | | | |
| 26:11-18 | | | |
| 27:11-25 | | | |
| 29:21-23; 29:25-30:6; 30:8-8 | (1) Subject to any motion in limine regarding the baseball antitrust exemption; (2) calls for legal conclusion; (3) relevance; (4) ambiguous | | |
| 32:11-33:13 | | 31:23-31:25; 32:4-8; 32:10-10 | None |
| 48:5-19 | | | |
| 50:21-51:16 | | 51:17-18; 51:20-20 | None |
| 51:21-53:23 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
Defendants' Deposition Designations

| 2. LERNER, MARC 10/28/2013; 10/29/2013 | | | |
|---|---------------------|---|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 54:9-11; 54:13-16; 54:18-18 | | | |
| 54:24-55:3 | | | |
| 56:10-12 | | | |
| 56:20-57:2 | | 57:3-4; 57:6-59:4 | Relevance (57:3-57:4; 57:6-59:4) |
| 60:21-23 | | | |
| 62:24-63:2; 63:4-4 | | | |
| 65:3-3; 65:5-6 | | | |
| 66:18-22; 66:24-67:2; 67:4-6; 67:8-9; 67:11-12; 67:14-21; 67:23-68:6; 68:8-8 | | | |
| 76:21-25 | | 74:23-75:5 | None |
| 80:5-10; 80:16-81:4 (Ex. 2) | | 81:5-6; 81:8-8 | None |
| 81:9-10 | | | |
| 81:19-22 | | 81:23-24; 82:2-4; 82:6-82:13; 84:3-7; 84:9-14 | None |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
Defendants' Deposition Designations

| 2. LERNER, MARC 10/28/2013; 10/29/2013 | | | |
|--|--|---|--|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 86:21-25 87:3-6 | | 87:7-9; 87:11-13; 87:15-15; 102:5-103:11 | Counter-counter for completeness: 87:10-87:10. Relevance (87:11-87:11; 102:7-102:7; 102:11-102:11; 102:15-102:15; 102:22-102:24) Scope; Relevance (102:5-103:11) |
| 117:13-21 | | | |
| 126:12-21; 126:23-25 | | | |
| 127:20-128:3 | | 127:2-19 | None |
| 146:15-20 | | | |
| 154:5-10; 154:14-17; 154:20-22; 154:25-155:5; 155:8-18; 155:21-21 | (1) Relevance; (2) calls for speculation; | | |
| 156:10-13 | | | |
| 159:25-160:3 | | | |
| 165:22-24; 166:3-4 | | 166:5-10 166:22-25; 167:4-167:8; 169:9-11; 169:14-24; 170:3-12; 170:15-21; 171:6-172:14; 173:23-174:10 | Relevance; Calls for speculation (166:22-166:25) Lack of personal knowledge (167:4-167:8) Relevance (171:7-171:8) |
| 182:24-183:2 | | 183:3-10 | None |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 2. LERNER, MARC 10/28/2013; 10/29/2013 | | | |
|---|---------------------|---|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 183:24-184:11; 184:14-18 | | | |
| 190:12-191:14; 191:17-25; 192:4-14; 192:17-22; 192:25-193:16 (Ex. 6) | | 194:9-23; 194:25- 195:6; 195:9- 196:2; 196:11-197:13 | Relevance (194:9- 194:18) |
| 198:18-199:16 | | | |
| 200:4-25 (Ex. 7) | | 201:2-14 | None |
| 202:6-11; 202:22-25; 203:4-15; 203:18-205:8 | | 205:9-16; 205:21-206:7; 206:10-16 | None |
| 210:2-4; 210:7-211:2 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 3. RASMUSSEN, DEREK 11/22/2013 | | | |
|---|---------------------|---|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 9:20-11:7 | | | |
| 17:15-18:12 | | | |
| 19:12-20:7 | | | |
| 20:16-21:10 | | | |
| 21:16-18 | | 21:19-22 | None |
| 21:23-22:5 | | 22:6-12 | None |
| 22:13-16 | | 22:24-25; 23:3-3; 23:13-23:19; 23:21-23:25; 24:3- 24:6; 24:8-24:11; 24:13-24:18 | Scope; Vague; Calls for speculation (22:24- 22:25; 23:3-23:3) |
| 24:19-26:10; 26:12-12 | | | |
| 27:22-25; 28:3-6; 28:8-8 | | 27:4-27:12; 27:14- 27:19; 27:21-21; 28:9-29:4 | Scope; Relevance (27:4-27:12; 27:14-27:19; 27:21-27:21); Calls for speculation (27:18- 27:19; 27:21- 27:21); Inadmissible opinion or conclusion, (27:18-27:19; 27:21-27:21) |
| 29:5-13; 29:15-25; 30:3-3 | | | |
| 30:22-31:2; 31:4-22 | | | |
| 32:2-16 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 3. RASMUSSEN, DEREK 11/22/2013 | | | |
|---|---------------------|--|--|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 32:22-24 | | | |
| 33:12-16 | | | |
| 33:21-34:3 | | | |
| 35:8-21 | | 35:22-36:2 | None |
| 36:3-4; 36:6-6 | | | |
| 36:23-37:6 | | 37:7-18 | None |
| 39:17-40:5 | | 39:14-16 | None |
| 40:11-41:3 | | 41:4-14; 41:16-17; 41:19-42:20; 42:22-43:6 | Scope (41:11-41:14; 41:16-41:17; 41:19-42:20; 42:22-43:6); Relevance (41:11-41:14; 41:16-41:17; 41:19-42:20; 42:22-43:6) |
| 45:13-18 | | 44:22-45:9; 45:11-12 | None |
| 47:7-9 | | 46:13-15; 46:17-46:19; 46:21-47:6 | None |
| 47:20-48:11 (Ex. 1) | | 52:7-53:5 | Relevance (52:17-52:21) |
| 56:25-57:20; 57:22-24 | | | |
| 58:6-9; 58:22-60:2 (Ex. 19) | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 3. RASMUSSEN, DEREK 11/22/2013 | | | |
|---|---|-------------------------------|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 61:25-62:3 | | 61:6-61:13 | Relevance; Inadmissible opinion or conclusion (61:10-61:13) |
| 65:14-15; 65:17-66:8 | | 69:21-70:20 | Hearsay (70:15-70:20). If overruled, counter-counter for completeness: 69:16-69:18; 69:20-69:20 |
| 74:4-7; 74:9-12; 74:14-14 | (1) Relevance; (2) calls for speculation; (3) ambiguous | | |
| 74:22-24; 75:2-4; 75:6-9; 75:11-14 | (1) Relevance; (2) calls for speculation; (3) ambiguous | | |
| 77:20-22; 77:24-24 | | | |
| 78:21-79:7 | | 79:8-15 | None |
| 80:22-81:4 | | | |
| 81:8-16 | | | |
| 86:14-88:20 | | | |
| 89:2-4; 89:6-8; 89:10-10 | Calls for legal conclusion | | |
| 90:13-14; 90:16-17 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 3. RASMUSSEN, DEREK 11/22/2013 | | | |
|---|--|-------------------------------|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 93:12-94:19; 94:21-25 | | 93:20-93:25 | None |
| 95:16-23; 95:25-96:4; 96:6-9; 96:11-99:12; 99:14-17 | (1) Subject to any motion in limine regarding the baseball antitrust exemption; (2) calls for legal conclusion; (3) relevance; (4) ambiguous | | |
| 106:20-107:10; 107:12-12 | | | |
| 108:14-25; 109:4-11; 109:14-110:18; 110:20-111:3; 111:5-9 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 4. TRAUB, GARRETT 11/12/2013 | | | |
|---|---------------------|-------------------------------|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 9:9-9 | | | |
| 9:17-19 | | | |
| 11:7-12:14 | | | |
| 20:18-21 | | | |
| 21:23-22:25 (Ex. 14) | | | |
| 23:18-24:6 | | | |
| 24:18-25:20 (Ex. 15) | | | |
| 34:19-35:4; 35:6-36:8 | | | |
| 37:3-25 | | | |
| 44:20-45:10 | | | |
| 48:5-17 | | | |
| 51:22-52:22 | | | |
| 54:6-56:17 | | | |
| 56:22-57:11 | | | |
| 57:25-58:6 | | | |
| 59:2-60:4 | | | |
| 61:4-23 | | | |
| 62:12-63:3 | | 63:4-10 | Relevance |
| 63:11-67:11; 67:13-68:3 | | | |
| 68:24-69:2; 69:4-23 | | | |
| 70:7-18 | | 70:19-21 | None |
| 73:8-10 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 4. TRAUB, GARRETT 11/12/2013 | | | |
|---|---------------------|--|--|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 73:16-74:24 (Ex. 18) | | | |
| 78:8-17 | | | |
| 83:6-23 | | | |
| 84:7-85:15 | | | |
| 85:18-86:5; 86:8-87:9 | | | |
| 88:6-89:20 | | | |
| 91:12-20 | | 92:8-93:6 | Lack of foundation; Calls for speculation. Relevance (92:12-92:24) |
| 105:23-106:8; 106:10-17 | | | |
| 109:14-18; 109:20-25 | | 107:18-107:24 108:1-108:6 108:8-108:17 108:19-109:3 109:5-109:13 | Relevance (108:10-108:17; 108:19-108:22) |
| 111:5-20 | | 110:2-111:4 | None |
| 113:2-6; 113:9-9 | | 113:10-114:3 114:5-114:10 | Relevance (114:5-114:5) |
| 114:11-25 | | 115:2-115:4 115:6-115:11 116:16-118:6 | None |
| 142:16-21 | | | |
| 143:3-4; 143:6-9 | | 143:13-144:6 | None |
| 146:3-13; 146:15-16 | | | |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 4. TRAUB, GARRETT 11/12/2013 | | | |
|---|---------------------|--|---|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 149:8-12; 149:14-150:7 | | 150:8-150:13 150:15-151:4 151:6-151:20 | None |
| 153:2-155:13; 155:15-18 | | 155:19-155:21 155:23-156:2 | Inadmissible opinion (155:19-155:21; 155:23-156:2) |
| 156:3-5; 156:7-13; 156:15-157:5; 157:7-7 | | 157:8-158:6 158:8-158:14 158:16-159:3 159:5-159:9 159:11-160:3 160:5-160:12 160:14-160:24 161:1-161:7 161:9-161:19 161:21-164:2 | Relevance; Calls for speculation; Inadmissible opinion (158:16-159:3; 159:5- 159:9; 159:11-160:3; 160:5-160:12; 160:14- 160:24; 161:1-161:7; 161:9-161:19) |
| 164:13-15; 164:17-166:11; 166:13-22 | | 166:23-167:4 | None |
| 167:5-168:4 | | 168:5-168:7 | None |
| 168:8-9; 168:11-169:21 | | 178:16-178:19 178:21-179:5 179:7-180:2 180:4-180:8 180:10-180:17 180:19-181:8 | Relevance; Inadmissible opinion |
| 183:18-184:19 | | | |
| 189:6-10; 189:12-13 | | 189:14-189:17 189:19-189:23 | None |

Garber v. Office of the Commissioner of Baseball, No. 12-cv-3704 (SAS)
 Defendants' Deposition Designations

| 4. TRAUB, GARRETT 11/12/2013 | | | |
|--|--|---|--|
| Affirmative Designation | Objection(s) | Counter Designation(s) | Objection(s) to Counter Designation(s) |
| 191:17-25; 192:3-7; 192:9-193:3; 193:5-5 | | 193:6-193:8 193:10-193:18 193:20-194:6 | Calls for speculation; Inadmissible opinion (193:6-193:8; 193:10-193:18; 193:20-193:22) |
| 194:7-12; 194:14-23; 194:25-195:3; 195:5-5 | | 195:6-195:10 195:12-195:23 195:25-196:6 196:8-196:11 | Calls for speculation; Inadmissible opinion (195:6-195:10; 195:12-195:23) Counter-counter for completeness: 196:12-196:14; 196:16-196:24 |
| 200:4-10 | | | |
| 201:8-25 | | | |
| 203:8-204:8; 204:10-205:15 | | | |
| 206:17-207:3; 207:5-9; 207:11-15; 207:17-17 | (1) Subject to any motion in limine regarding the baseball antitrust exemption; (2) calls for legal conclusion; (3) relevance; (4) ambiguous | | |